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ON 12-7-95 cm

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC
SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

In the Matter of)	
)	Administrative Action
CHARLOTTE LEE, D.M.D.)	
)	CONSENT ORDER
Licensed to Practice Dentistry)	
in the State of New Jersey)	
_____)	

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of a report disclosing the results of a Board investigation concerning allegations that unlicensed persons were performing duties beyond the scope of permissible practice in the dental office of the respondent and that an audit conducted by Delta Dental Insurance Company revealed the submission of insurance claims by the respondent which contained treatment dates which did not accurately reflect the date when the dental service or procedure actually was completed. It appears to the Board that in a period commencing approximately in 1991 and continuing until August 1993 the respondent repeatedly permitted unlicensed dental assistants to perform those dental procedures reserved by law to registered dental assistants

and/or registered dental hygienists. Said conduct constitutes violations of N.J.S.A. 45:1-21(c) and N.J.S.A. 45:6-61 providing that any licensed dentist who permits any unlicensed person to practice dental hygiene under his direction or control shall be guilty of conduct constituting willful and gross malpractice or willful and gross neglect in the practice of dentistry. It further appears to the Board that the results of the Delta Dental audit indicate violations of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:30-8.10 providing that it shall be professional misconduct for a licensee to submit to an insurance carrier any claim form containing misrepresentations in regard to the date when the dental service was actually completed.

It appearing that the parties wish to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 6th DAY OF *December*, 1995,

HEREBY ORDERED AND AGREED THAT:

1. The license of the respondent to practice dentistry in the State of New Jersey shall be and is hereby suspended for a period of two (2) years. Eighty-nine (89) days of the suspension shall be active and shall commence on January 1, 1996. The remaining period of suspension shall be stayed and constitute a probationary period. The respondent shall derive no financial remuneration directly or indirectly related to patient fees paid for dental services rendered during the period of active suspension by other licensees for patients of respondent's practice. Respondent shall not be permitted to enter upon the premises of the dental facility during the period of active suspension or provide any consultation to other licensees rendering treatment to patients of the respondent or sign or submit insurance

claim forms for treatment rendered during the period of active suspension or render other administrative or supervisory duties during the period of active suspension.

2. Respondent is hereby assessed a civil penalty in the amount of Ten Thousand (\$10,000.00) Dollars. The civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board of Dentistry in twelve (12) equal monthly installment of Eight Hundred and Thirty-three Dollars and thirty four (\$833.34) cents which shall be due no later than the first day of each month commencing January 1, 1996. Any failure to make a payment when due shall cause the entire remaining balance to become immediately due and payable.


3. Respondent is hereby assessed the costs of the investigation in this matter in the amount of Eight Thousand (\$8,000.00) Dollars. Said costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board of Dentistry in twelve (12) equal monthly installment of Six Hundred and Sixty-six Dollars and Sixty-seven (\$666.67) cents which shall be due no later than the first day of each month commencing January 1, 1996. Any failure to make a payment when due shall cause the entire remaining balance to become immediately due and payable.

4. Respondent shall cease and desist any and all further acts of employing, aiding or abetting, or permitting unlicensed dental assistants to perform functions reserved to registered dental hygienists or registered dental assistants. Respondent shall comply in all respects with the parameters for permissible duties for dental auxiliaries as set forth specifically in N.J.A.C. 13:30-2.3 and 2.4.

Further, respondent shall cease and desist from any and all misrepresentation or any unlawful act in connection with the submission of insurance claims on behalf of patients in any manner whatsoever including, but not limited to, treatment dates which do not reflect accurately the date when the service or procedure was actually completed.

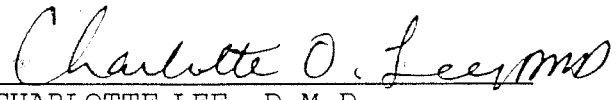
5. Random and unannounced audits of respondent's patient records and billing records may be conducted by the Board's designees at the Board's discretion and at the expense of the respondent for the entire probationary period. On demand made, respondent shall immediately make available all records necessary to conduct the audit as determined by the Board or its designees. The cost of each such audit shall be based on the standard hourly rate for the Board's investigators prevailing at the time of the audit and shall be due and payable within thirty (30) days of the respondent's receipt of a statement of such costs from the Executive Director of the Board. The audits provided for herein shall be conducted in a reasonable manner so as not to disrupt the treatment of patients.

6. Respondent is hereby reprimanded and cautioned that more serious penalties may be imposed in the event subsequent complaints of a similar nature are filed against her.



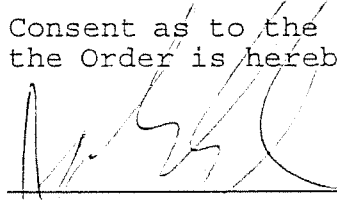
SAMUEL FURMAN, D.D.S.
PRESIDENT
STATE BOARD OF DENTISTRY

I have read and understand
the within Order and agree
to be bound by its terms.
Consent is hereby given to
the Board to enter this Order.



CHARLOTTE LEE, D.M.D.

Consent as to the form of
the Order is hereby given.



JOHN PAUL DIZZIA, ESQ.
Counsel for Respondent